



1Fw 1646

THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gregory A. Demopoulos et al. Attorney Docket No.: PH.1.0017.US2
Application No.: 09/839,633 Group Art Unit: 1646
Filed: April 20, 2001 Examiner: Eileen B. O'Hara
Title: METHOD OF INHIBITION OF PAIN AND INFLAMMATION DURING
SURGERY COMPRISING ADMINISTRATION OF SOLUBLE TNF
RECEPTORS (AS AMENDED)

RESPONSE TRANSMITTAL LETTER

Seattle, Washington 98101

October 4, 2005

TO THE COMMISSIONER FOR PATENTS:

A. Response Transmittal

Transmitted herewith is a Response in the above-identified application.

- X 1. No additional claim fee is required, as shown below.
_____ 2. The claim fee has been calculated as shown below.

COMPUTATION OF FEE FOR CLAIMS AS AMENDED

| | Claims Remaining After Amendment | | Highest Number Previously Paid For | | Present Extra | | Rate | | Additional Fee |
|--------------------------|---|---|---|---|------------------|---|------|---|-------------------|
| Total Claims | 16 | - | 31 | = | 0 | x | 25 | = | 0 |
| Independent Claims | 1 | - | 4 | = | 0 | x | 100 | = | 0 |
| Multiple Dependent Claim | 0 | | 0 | | 0 | + | 180 | = | 0 |
| TOTAL | | | | | | | | | \$0 |

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B. Fees Enclosed

Enclosed is our Check No. 7432 in the amount of \$65.00 to cover the Terminal Disclaimer fee.

C. Small entity status is asserted for this matter.

D. Additional Fee Charges or Credit for Overpayment

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16, 1.17 and 1.18 which may be required during the entire pendency of the application, or credit any overpayment, to Deposit Account No. 50-2230. This authorization also hereby includes a request for any extensions of time of the appropriate length required upon the filing of any reply during the entire prosecution of this application. A copy of this document is enclosed.

Respectfully submitted,

OMEROS CORPORATION



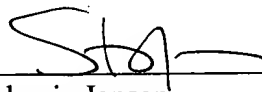
Marcia S. Kelbon

Registration No. 34,358

Direct Dial No. 206.676-5020

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

10 - 04 - 05
Date


Stephanie Jansen

MSK:sj

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TO THE COMMISSIONER FOR PATENTS:

The following response is submitted to the Office Action mailed July 8, 2005. Currently Claims 20, 22 and 25-38 are pending and stand rejected. These claims have been rejected under the judicially created doctrine of obviousness type double patenting based on US Patents 5,800,385, 5,858,017, 5,860,950 and 6,261,279. In addition, these claims have been provisionally rejected under the judicially created doctrine of obviousness type double patenting based on copending US Patent Applications 10/138,192, 10/138,193, 10/288,997, 10/630,626 and 10/674,290.

In response, Applicants submit a terminal disclaimer based on each of the above cited patents and each of the above cited patent applications, except for US 10/630,626. Applicants submit that the rejection based on the patents and applications that are the subject of this disclaimer has thus been overcome.

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With respect to the rejection based on commonly assigned US 10/630,626 (the '626 Application), this application discloses and claims ophthalmologic irrigation solutions including combinations of anti-inflammatory/pain, mydriatic and/or intraocular pressure reducing agents. Applicants note that the '626 Application has an effective filing date of July 30, 2002 (the filing date of US Provisional Patent Application No. 60/399,899 from which priority is claimed), and as such the '626 Application cannot be prior art to the instant application, which was filed April 20, 2001 and has a still earlier effective filing date. This rejection should thus be withdrawn.

In view of the above remarks and the enclosed terminal disclaimer, passage of the application inclusive of Claims 20, 22 and 25-38 is respectfully requested.

Respectfully Submitted,

OMEROS CORPORATION



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